

# LOYOLA UNIVERSITY BULLETIN

VOL. XXI

JUNE - 1939

No. 4

## SCHOOL OF LAW

Member of the Association of American  
Law Schools

On the Approved List of the American  
Bar Association



## ANNOUNCEMENTS

1939 - 1940

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LOYOLA UNIVERSITY  
6363 St. Charles Avenue  
NEW ORLEANS, LA.

Set II

**LOYOLA UNIVERSITY BULLETIN**

Vol. XXI

JUNE, 1939

No. 4

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June, July, August, September, November.

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Loyola University, Incorporated April 15, 1912. Authorized to grant degrees by The General Assembly of Louisiana for the year 1912.

The Legal and Corporate Title of the University is  
"LOYOLA UNIVERSITY, NEW ORLEANS, LA."

All donations, endowments, legacies, bequests, etc., should be made under this title.

# SCHOOL OF LAW

1939 - 1940



LOYOLA UNIVERSITY

NEW ORLEANS, LA.



# CALENDAR FOR YEAR 1939-1940

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## SCHOOL OF LAW

### First Semester

1939

- Sept. 14, Thursday.....Registration—First Year, Day  
Division, 9 A. M. to 4 P. M.,  
Bobet Hall.  
Registration—First Year, Evening  
Division, 7-9 P. M., Bobet Hall.
- Sept. 15, Friday.....Registration—Upperclassmen, Day  
Division, 9 A. M. to 4 P. M.,  
Bobet Hall.  
Registration—Upperclassmen, Evening  
Division, 7-9 P. M., Bobet Hall.
- Sept. 18, Monday.....Lectures Begin, Day and Evening  
Divisions.
- Sept. 29, Friday.....University Convocation, 11 A. M.
- Oct. 12, Thursday.....Mass of the Holy Ghost, 10:15 A. M.
- Nov. 1, Wednesday.....Solemnity of All Saints.
- Nov. 23, Thursday.....Thanksgiving Day.
- Dec. 8, Friday.....Solemnity of the Immaculate  
Conception.
- Dec. 19, Tuesday.....University Convocation, 11 A. M.
- Dec. 20, Wednesday.....Christmas Holiday Begins After Last  
Scheduled Lecture.

# 1940

Jan. 4, Thursday.....Lectures Resumed (Day and Evening Divisions).

Jan. 27, Saturday.....First Semester Ends.

Jan. 29, Monday.....Second Semester Begins.

Feb. 5, 6,

Mon. and Tues.....Mardi Gras Holiday (Day and Evening Divisions).

Feb. 7, Wednesday.....Lectures Resumed (Day and Evening Divisions).

Feb. 14, Wednesday.....University Convocation, 11 A. M.

March 20, Wednesday.....Easter Holiday Begins After Last Scheduled Lecture.

March 27, Wednesday.....Lectures Resumed (Day and Evening Divisions).

April 22, Monday.....University Convocation, 11 A. M.

May 2, Thursday.....Ascension Day.

June 1, Saturday.....Second Semester Ends.

June 2, Sunday.....Baccalaureate Exercises.

June 3, Monday.....Commencement Exercises.

# LOYOLA UNIVERSITY

Founded in 1912

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## THE SCHOOL OF LAW

Founded in 1914

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## THE FACULTY

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(Session 1939-1940)

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*Lecturer on Civil Law*

WILLIAM HENRY BYRNES, JR., A.B., LL.B., LL.D.,  
*Professor of Law*

OLIVER PROVOSTY CARRIERE, A.B., LL.B.,  
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JAMES THOMAS CONNOR, A.M., J.D.,  
*Dean and Professor of Law\**

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*Professor of Law*

LÉANDRE MARÉCHAL, LL.B.,  
*Lecturer on Civil Law Research*

VERNON X. MILLER, A.B., LL.B., J.S.D.,  
*Professor of Law\**

ANTONIO EDWARD PAPALE, A.B., LL.B.,  
*Professor of Law\**

ARTHUR JOSEPH PETERS, LL.B., LL.M.,  
*Professor of Law*

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\*Resident.

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MOSE CLYDE SCHARFF, LL.B., LL.M.,  
*Director of Moot Court*

JOHN MORT WALKER, JR., B.E., LL.B.,  
*Associate Professor of Law\**

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\*Resident.

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MISS SOLANGE MILLE, Librarian, *Chairman*

MR. LEANDRE MARECHAL

MR. LEON SARPY

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### SPECIAL STUDENTS

MR. J. MORT WALKER, JR., *Chairman*

MR. ALFRED J. BONOMO

MR. OLIVER P. CARRIERE

## GENERAL STATEMENT

**History and Location** The State of Louisiana offers a unique opportunity for the study of law in the midst of surroundings rich in historical events of profound significance to legal institutions in the United States. The city of New Orleans in a special manner has witnessed great moments since its founding by the French in the early eighteenth century. The Louisiana Purchase was consummated at the Cabildo, which still stands in Jackson Square, the area dedicated to the great hero of the Battle of New Orleans. Here are located the principal courts of the state: the criminal court for the Parish of Orleans, the civil courts, the Court of Appeal, and the Supreme Court of Louisiana. Here likewise are found the various divisions of the Federal court. The library of the State Bar of Louisiana is housed in the Civil courts building and is available as an additional reference library to students who attend the School of Law of Loyola University. Of special interest is the fact that the private law in the State of Louisiana is based upon the continental civil law, with which the early French settlers were familiar, and to which they and their descendants have held tenaciously since the founding of the province.

Recognizing these advantages, and in order to afford an opportunity for the study of law to those who because of financial burdens were unable to devote their full time to the undertaking, the Jesuits established the Evening Division of the School of Law at Loyola University in October, 1914. During the first year of its existence the lectures were held in the Alumni Hall of the former College of the Immaculate Conception in downtown New Orleans. An increase in the student-body demanded larger accommodations and the school was moved to the campus of Loyola University, on St. Charles Avenue, where it was housed in a portion of Marquette Hall. In September, 1925, the Day Division of the School of Law was inaugurated. In 1931 the need for more space presented itself and the school was moved to Bobet Hall, the latest addition to the university buildings. The School of Law occupies the entire ground floor of this building, which provides sufficient space for its present needs.

**Period of Study** The curriculum of studies covers a period of three years in the Day Division, and four years in the Evening Division, at the end of which the degree of Bachelor of Laws is conferred on those who have passed successfully the required examinations in the entire course and who are otherwise qualified.

**Approved School** The School of Law is a member of the Association of American Law Schools and is on the list of schools approved by the Council on Legal Education of the American Bar Association, which approval is dependent upon meeting and maintaining certain standards as to entrance requirements, faculty, library, and curriculum. The School of Law is also registered as an approved school by the Board of Regents of the University of the State of New York.

**Aims and Purposes** The Faculty of the School of Law conceive the function of a legal education to be the development of a sound and discriminating judgment and the acquisition of a technique in bringing the available legal devices to bear in the prevention of and solution of controversies. To this end the curriculum combines a detailed examination of the theory of legal institutions with practical applications thereof to actual and typical problems.

**Course Of Study** Louisiana occupies a unique position among the states of the Union in view of her espousal of the Civil Law tradition embodied in the Code Napoleon, which is the basis of her jurisprudence. For this reason the course of study includes a thorough investigation of the sources and development of the Civil Law and careful discipline in the Civil Law technique and methodology. The Common Law system, which prevails generally throughout the United States, is not neglected, however, and a sufficient complement of Common Law courses is included in the curriculum to prepare a student to begin the practice of law anywhere in the United States.

An unusual opportunity is afforded in Louisiana for students interested in comparative law to observe in operation at close range the two outstanding systems of law extant in the world today.

**The Faculty** The faculty is composed of six full-time professors who devote their entire time and attention to university work. In addition, a few courses are given by part-time

instructors who are eminent and active practitioners in the city of New Orleans, and who are selected with reference to their particular ability to give the course assigned to them. In this manner the students are in contact not only with a staff of men who make teaching their chief pursuit, but the students have the added advantage of personal contact with active practitioners, who are all experts in their particular fields. The relatively small student-body of the School of Law increases the opportunity for personal contact between faculty and students, with the resultant benefits to be derived from individual attention and conferences.

**Law Library** The law library is open every day for the use of students. It contains more than 14,000 volumes, including the reports of the United States Supreme Court and of the inferior Federal courts; the National Reporter System, including the New York Supplement; the reports of the courts of last resort of most of the States complete to the National Reporter System; the American Digest System; the leading State, Federal, and English digests; the principal law encyclopedias; sets of annotated selected cases; the English Reports, Full Reprint and a complete set of the Law Reports; complete sets of most of the leading American legal periodicals; and a large number of standard text-books. The Law Library of Chief Justice Edward Douglass White, which was donated to the School of Law, together with gifts of numerous volumes from Branch Knox Miller, Judge Chas. Parlagne, Judge John St. Paul, Rev. Jerome Mullin, J. M. Lapayre, T. J. Semmes, W. C. Staub and Chas. T. Soniat, form a part of the collection.

Ample facilities are provided in this library for the entire student-body and the reference materials are readily available to them.

**Research Reading Room** In addition to the general Law Library, which houses the volumes just enumerated, there has been made available a special Library and Reading Room, which contains a wealth of material comprising the leading French legal authorities, together with numerous works on Roman, Swiss, Spanish, and other national legal literature. This collection contains one of the most complete groups of French authorities in the State, including many valuable editions of the Louisiana Civil Code.

The Research Reading Room is available to the students at all reasonable times, and they are encouraged to acquaint themselves with the source materials of the law.

The faculty and students of the School of Law wish to acknowledge with sincerest gratitude the various donations made by Miss Leonora Del Bondio to the School of Law, which made it possible to improve its facilities and equipment.

**Requirements** In addition to meeting the requirements for admission to the College of Arts and Sciences, applicants for admission to the School of Law must have completed their eighteenth year at the time of registration. In accordance with the standards of the Association of American Law Schools and the American Bar Association, students entering the School of Law must present satisfactory proof that they have completed "one-half of the work acceptable for a Bachelor's degree granted on the basis of a four-year period of study by the State University or the principal colleges or universities in the State where the Law School is located." *The average of all pre-legal work taken must equal the average required for graduation in the institution attended.*

**Pre-Legal** While the Faculty of Law realizes that the widest possible latitude ought to be afforded a student in laying the educational and cultural foundation for his professional studies, experience has shown that a student left too much to his own choice in the selection of his pre-law studies frequently fails to employ his time to the best advantage. It is doubtful if a student entering college is capable of determining for himself what course of study will be most advantageous to him in preparing for his law training, and the tendency is to choose those courses which he feels that he can pass successfully irrespective of their merit. In view of this experience of the Faculty of Law, the following pre-law curriculum has been designed.

The applicant's record in his pre-legal work must be of such a character as to indicate that he will be able to do satisfactory work in the School of Law. Students are advised in shaping their pre-legal course to adhere closely to the following recommendations. A departure therefrom may cause an application to be rejected. Credit will not be given for courses without substantial intellectual content.

## FIRST YEAR

English .....	6 sem. hrs.
English Composition and Rhetoric.	
Modern Language .....	6 sem. hrs.
French.	
Science .....	8 sem. hrs.
Accountancy.	
History .....	6 sem. hrs.
Modern Europe or English History.	
Social Science .....	6 sem. hrs.
Economics or Sociology.	
Public Speaking .....	2 sem. hrs.

## SECOND YEAR

English .....	6 sem. hrs.
The English Essay or Prose Writers.	
Modern Language .....	6 sem. hrs.
French.	
History .....	6 sem. hrs.
American Constitutional or English or American History.	
Philosophy .....	8 sem. hrs.
Dialectics, Epistemology, Psychology, and Ethics.	
Electives .....	4 sem. hrs.

**Advanced Standing** Students who have successfully pursued a portion of their law course in an approved law school (that is, a school which is a member of the Association of American Law Schools or approved by the American Bar Association), and who are able to meet the entrance requirements of this School of Law, will receive credit for work successfully pursued in such approved school. The right is reserved to refuse such credit in whole or in part, and credit given may be withdrawn for poor work. At least one year's residence is required of advanced students or they will not be eligible for a degree. Therefore, credit given for work in another law school shall not exceed two years.

A student who has attended another law school, and who has been dropped for defective scholarship, is not eligible for admission to this School of Law unless special permission is obtained, which permission shall be in the discretion of the Dean.



**Special Students** While it is the policy of the Faculty of Law to insist upon the minimum of pre-legal education on the part of those who apply for admission to the School of Law, it nevertheless realizes that occasionally special circumstances, such as maturity, demonstrated ability in other fields, and individual aptitude, will justify exceptions within the limits imposed by the Articles of Association of the Association of American Law Schools. Therefore, a limited number of Special Students may be admitted to the Evening Division only, but not as candidates for the law degree.

Applicants who wish to qualify as Special Students are advised to apply to Professor J. Mort Walker, Jr., Chairman of the Faculty Committee on Special Students, for the necessary forms and regulations. Applications will be passed upon by the Faculty Committee on September 1.

The following general regulations apply to all Special Students:

(1) The applicant must be at least 23 years of age.

(2) There must be some good reason for thinking that the applicant's experience and training have specially equipped him to engage successfully in the study of law, despite the lack of the required college credits.

**Combined Courses** A student by a proper selection of courses in the College of Arts and Sciences and in the School of Law may in the space of six scholastic years complete the requirements for both the academic and professional degree as indicated in the following program.

The first three years are to be spent in the College of Arts and Sciences. All the requirements as set out on page 33 of the General Bulletin of the University (Volume 20, No. 8) must be met. In the fourth year the student is registered in both the College of Arts and Sciences and the School of Law. If the student has met all the requirements, the academic degree is conferred at the end of the fourth year. In the fifth and sixth year the student is registered in the School of Law only and the professional degree is conferred upon the satisfactory completion of the requirements for this degree.

Students electing to take the combined courses must obtain the approval of the Dean of the College of Arts and Sciences. Students registering in the School of Law will not be permitted

to take work in the College of Arts and Sciences without special permission from the Dean of the School of Law.

The Faculty strongly advises those contemplating the study of law to arrange their college work in such a manner that they may take the combined course, with the resulting advantage of a broader background for the study of the law.

**Requirements For Degree** The standard course in the School of Law covers a period of three years in the Day Division and four years in the Evening Division. Classes are held in the Day Division from Monday through Saturday morning, and in the Evening Division from 7 to 9 P. M. Monday through Friday.

The degree of Bachelor of Laws (LL.B.) will be conferred upon those who have satisfactorily completed seventy-eight semester hours in the School of Law, as outlined in this Bulletin.

**Examinations and Special Regulations** Examinations are given at the end of each of the two semesters into which the scholastic year is divided. The alphabetical system of grading is used. The grades A, B, C, D, E and F will be given.

The quality of work indicated by these grades is as follows:

Grade	Quality of Work
A.....	Excellent
B.....	Good
C.....	Fair
D.....	Unsatisfactory
E.....	Condition
F.....	Failure

The condition indicated by the grade "E" may be removed by successfully passing a second examination. A mark of "F" cannot be made up by examination, and the subject must be repeated in class.

In order to graduate, a student must have secured a grade of "D" or better in at least seventy-eight hours of law work, and he must have earned a number of "quality credits" equal to the number of hours required for graduation. *No student will be eligible for the law degree until he has fulfilled both of these requirements.*

Quality credits are earned according to the following schedule:

Grade	Quality Credits per Credit Hour
A .....	3
B .....	2
C .....	1
D .....	0
E .....	0
F .....	0

*Every student in his first year in the School of Law must secure a weighted average of .50. (The weighted average of a student is determined by dividing the total number of hours scheduled in the Law School into the number of quality credits earned.)*

*Every student at the end of his second year in the School of Law must have earned a weighted average of .80 on his entire record.*

*Every student at the end of his third year in the School of Law must have earned a weighted average of 1.00 on his entire record.*

*Any student who fails to meet the requirements as above set out in his first year in the School of Law will be excluded. Any student who fails to meet the requirements as above set out in his second and subsequent years will be placed on probation or excluded from the School of Law, in the discretion of the Faculty. Any student who has been excluded from the School of Law for failure to meet these requirements will be readmitted only by special action of the Faculty.*

No student will be permitted to schedule more than fifteen hours of law work or work in another department of the University in any semester without special permission from the Dean of the School of Law.

No student will be permitted to schedule less than ten hours of law work in each semester of his final year without special permission from the Dean of the School of Law.

A student whose work is unsatisfactory during any semester may be denied permission to carry a full schedule during the following semester. The Faculty reserves the right to require the withdrawal of any student whose work is unsatisfactory even though the student meets the minimum scholastic requirements.

No student will be examined in any course in which he has been absent from more than twenty-five per cent of the scheduled classes. No credit will be given for any work done in

such cases. Students are advised to consult with their various professors when they suspect that they may have excess absences. The Faculty accepts no liability to inform any student of his excess absences prior to the issuance of the grades.

**Removal of Conditions** Students who have been conditioned in any subject may be permitted to take a second examination without repeating the course, in the discretion of the Faculty. Except when special circumstances will not permit it, students who have conditions will take the second examination (when permission is given so to do) at the next regularly scheduled examination in the course. The grade secured on the second examination will become the final grade in the course unless the student repeats the course thereafter, in which event the grade secured after completion of the course will become the final grade.

A student may be denied the privilege of taking the second examination and be required to repeat the course, even though he has not failed the course, where the circumstances indicate that such procedure is more desirable.

**Auxiliary Reading Course** Students beginning their law studies in 1938, and thereafter, will be required to present annually evidence of satisfactory work in assigned readings independent of the prescribed courses. Each student will be assigned to a member of the Faculty who will supervise this work and to whom the student will be responsible for its successful completion. No student will be permitted to graduate who has failed to fulfill this requirement in a satisfactory manner.

**Tuition And Fees** The annual tuition in the School of Law is \$200.00, payable as follows: \$50.00 upon the date of registration; \$50.00 on December 1st; \$50.00 on March 1st; and \$50.00 on May 1st.

Every student registered in the School of Law will have the privilege of attending all athletic contests conducted by the University and may use the athletic facilities at all reasonable times. Duly registered students will receive also a copy of the *Maroon*, the student publication.

A late registration fee of \$2.00 will be charged for failure to register at the appointed times.

A transcript fee of \$1.00 will be charged for each transcript issued by the School of Law after the first one.

A re-examination fee of \$2.00 will be charged to any student who is permitted to take a second examination in any course.

A charge of \$5.00 will be made for every examination taken out of course. The Faculty reserves the right to refuse permission to take examinations at other than the regularly appointed times.

A graduation fee of \$25.00 is imposed on all candidates for degrees in the School of Law and must be paid on or before May 1st of the year in which the degree will be conferred.

A delinquent payment fee of \$5.00 will be charged to any student who fails to pay any tuition installment on the due date as above indicated.

No student will be admitted to the lectures until his initial tuition payment has been made. Under no circumstances will a student who is in arrears in his accounts with the University be permitted to take any examination. No certificate, transcript of record, or degree will be issued to a student whose financial account with the University is not in good standing.

**Refunds** No tuition will be refunded except in case of illness. If on account of serious illness a student withdraws before the middle of a semester, one-half of his tuition for that semester will be refunded, provided he secures from the Dean a statement of honorable standing, and from a physician a certificate that his health will not permit him to remain in attendance. No application for a refund will be considered unless made before the close of the semester for which the fee was paid.

**Registration** Students intending to enter the School of Law must register on the dates fixed. A certificate of good character will be required of all applicants.

All high school units and college credits must be submitted prior to registration.

**Living Expenses** Good board and lodging can be secured in the vicinity of the campus at very reasonable rates. The University is equipped with a very fine modern cafeteria, operated under private management, where excellent meals may be obtained at very low rates.

**Scholarships** Many bright and ambitious men and women, of approved moral character, are deprived of the opportunity of entering upon the study of law because of lack of funds. To meet this situation, the University must look to generous benefactors who, in their charity, wish to help native sons and daughters in this way by supplying funds necessary to care for a student's tuition.

A Perpetual Scholarship is founded when an endowment of \$5,000.00 is set aside for that purpose.

Scholarships cover the tuition fee only. The holder of the scholarship must pay the special fees at the beginning of the year, and must at all times set an example of good conduct and serious application. The honor will be forfeited by any holder of a scholarship whose grades or conduct during the semester are unsatisfactory.

**Student Organizations** The Delta Theta Phi, national legal fraternity, has established a chapter at the School of Law, to which law students are eligible for membership.

The St. Thomas M<sup>ô</sup>re Law Club was established in 1935 by the students of the Day Division, and all law students are eligible for membership. The law club, under the patronage of the distinguished English martyr and saint, is devoted to the stimulation of interest in organized legal research on the part of its membership, and particularly in the preparation and argument of mooted cases before appellate tribunals. Students who participate in this program are afforded an excellent opportunity to demonstrate and improve their legal technique under ideal trial conditions. This trial work is climaxed each year by the Moot Court competition in trials on appeal between representatives of the St. Thomas M<sup>ô</sup>re Law Club and the Delta Theta Phi legal fraternity. Through the combined efforts of these two organizations and the Student Activities Committee of the University, a beautifully mounted silver plaque has been obtained for the law library. On this plaque the names of the representatives of the two law societies are engraved and the winner of the final competition is indicated. Prominent members of the law alumni are selected to act as judges and preside over this trial.

The Law Sodality is open to all Catholic students in the School of Law and administers to the spiritual welfare and needs of the members.

**Awards and Prizes** Each year the Faculty Award is given to the student in the School of Law who has maintained the highest average over his or her entire law course. This award was merited in 1939 by Mr. Henry Gabb, of British Honduras. Next in merit was Mr. Robert Pascal, of New Orleans, La.

The Dean's Award is given annually to the student who has maintained the highest average during his first year in the School of Law. This award was merited in 1939 by Mr. James Brown, of New Orleans, La.

The St. Thomas M<sup>o</sup>re Law Club makes an annual award to the senior member of the club who has been most active in the affairs of the organization. The award was given in 1939 to Mr. Michael Early, of New Orleans, La., retiring president of the club.

**Special Lectures** Each year a series of special lectures is given in the School of Law bringing before the students eminent members of the Bench and Bar who discuss various aspects of the legal profession. Additionally, men prominent in other walks of life are invited to address the law students.

## DESCRIPTION OF COURSES

## GENERAL

**\*Admiralty** This course involves a discussion of jurisdiction in Admiralty matters, State Workman's Compensation Acts, and other laws applicable to maritime workers, maritime liens, salvage, general average, limited liability acts, contracts of affreightment, the Harter Act, and sovereign immunity.

*Materials to be announced.*

Mr. Walker.

**Conflict Of Laws** This course comprises a study of the jurisdiction and procedure of courts as affected by the place of transaction; doctrines of Conflict of Laws relating to Torts, Contracts, Agency, Workmen's Compensation, Carriers, Property, Family Law, Foreign Judgments, Foreign Corporations.

*Lorenzen, Cases on Conflict of Laws (3rd Edition).*

*Carnahan, Cases and Materials on Conflict of Laws.*

Mr. Fletchinger.

Mr. Bonomo.

**Contracts** This course consists of a study of cases dealing with offer and acceptance, consideration, sealed instruments, assignments, third party beneficiaries, and performance; a study and application of the pertinent sections of the Restatement of the Law of Contracts in addition to assigned readings and individual studies on the origin and history of the action of assumpsit, the development of the doctrine of consideration, and promissory estoppel.

*Goble, Cases and Materials on Contracts.*

Mr. Papale.

**\*Equity** This course treats of the origin and development of courts of Equity and their fusion with courts of Law under modern codes. It deals further with the jurisdiction and powers of courts of Equity, special attention being given to injunctive relief, specific performance, equitable conversion, the Statute of Frauds, and equitable servitudes.

*Walsh, Cases on Equity.*

Mr. Papale.

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\*Not offered in 1939-1940.



**Introduction To Law** This is an orientation course given to first year students, consisting of lectures on the judicial process and legal method, supplemented by individual assignments and studies in legal history. Dean Connor.

**Legal Bibliography** This course is designed to acquaint the student with the various materials of legal research, including the Digest System, the Annotated Statutes, and Reports of the various jurisdictions, and particularly the arrangement of the materials in the Law Library.

*Beardsley, Legal Bibliography and the Use of Law Books.*  
Mr. Bonomo.

**Legal Biography** This course consists of individual studies of the great personalities in legal history and reports by the students in class. These reports are supplemented by lectures dealing with the profession of the Bar.

Dean Connor.

**\*Legal Ethics** This course deals with the professional duties and obligations of lawyers, together with a critical examination and appraisal of the Canons of Professional Ethics promulgated by the American Bar Association.

*Materials to be announced.*  
Mr. Rightor.  
Mr. Rivet.

**Philosophy Of Law** This course is a survey of the various schools of legal thought which have influenced the development of the law, with emphasis upon Scholastic philosophy of law and the writings of St. Augustine, St. Thomas Aquinas, Suarez, and others. Selected readings and individual studies. Dean Connor.

**Personal Property** This course includes an introductory review of the common law personal property actions, a functional survey of property interests in chattels, and a study of the protection afforded these interests in the common law jurisdictions.

*Selected cases and materials.*  
Mr. Miller.

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\*Not offered in Day Division, 1939-1940.

**Real Property** This course is a general survey of the Common Law system of property tenure, with emphasis upon the nature and quantum of estates, estates upon condition, equitable estates, future interests, and estates arising from marriage. Attention is given to the Rule against Perpetuities, rights of enjoyment, easements, rents, and mortgages.

*Sullivan, Cases on Real Property; Tiffany's Outlines of Real Property.*  
Dean Connor.

**Torts** This course involves a discussion of the intentional invasions of interests of personality and property, negligence, contributory negligence, liability without fault, fraudulent and negligent misrepresentations, defamation, malicious prosecution, invasions of interests of political and economic advantage, recovery for wrongful death under Article 2315, Civil Code of Louisiana, and a consideration of the Workman's Compensation Law of Louisiana.

*Materials to be announced.*

Mr. Miller.

## CIVIL LAW

**Civil Law, I** This course comprises a discussion of the nature and origin of the Civil Code of Louisiana and a study of the text of the codal Articles 1-869, 2325-2437, and 3412-3527, including domicile, persons and family relationships, community property, things, ownership, usufruct, servitudes, occupancy, possession, and acquisitive prescription, together with the decisions of the Louisiana courts interpreting these parts of the Civil Code.

*Louisiana Civil Code, assigned readings and cases.*

Mr. Walker.

**Civil Law, Ic** This course comprises a study of the codal Articles 1756-2314 and 3528-3549, dealing with obligations, quasi-contracts and liberative prescription.

*Louisiana Civil Code, assigned readings and cases.*

Mr. Sarpy.

**Civil Law, IIa** This course comprises a study of the codal Articles 870-1466, dealing with successions.

*Louisiana Civil Code, assigned readings and cases.*

Mr. Peters.

**Civil Law, IIb** This course comprises a study of the codal Articles 1467-1755, dealing with donations, particularly the capacity of persons to dispose of and receive property by donations *inter vivos* and *mortis causa*, the légitime of forced heirs, and the formalities of testamentary disposition of property.

*Louisiana Civil Code, assigned readings and cases.*

Mr. Walker.

**Civil Law, III** This course comprises a study of the codal Articles 2438-2800 and 2985-3411, including sale, exchange, lease, compromise, respite, arbitration, suretyship, pledge, privileges and mortgages.

*Louisiana Civil Code, assigned readings and cases.*

Mr. Sarpy.

**Civil Law, IV** This course comprises a study of the codal Articles 2891-2984, dealing with loan, deposit and sequestration, aleatory contracts, and a general survey of the Civil Code.

*Louisiana Civil Code, assigned readings and cases.*

Judge Byrnes.

**Civil Law, V** This course involves a specialized study of the nature of interests in oil, gas and other minerals, including the remedies of the owner against adjoining landowner and trespasser; the nature of the mineral contract; sale and reservation of mineral rights; prescription of mineral rights; the mineral lease, including the consideration, potestative conditions, the term, abandonment or forfeiture, rent or royalties; government control of production, including conservation; drilling operations; mineral rights in public lands; liens affecting mineral interests; and taxation of mineral interests. Principal attention is given to Louisiana cases, supplemented by the pertinent articles of the Revised Civil Code of Louisiana and the various Acts of the Legislature of Louisiana affecting oil and mineral Rights.

*Walker, Cases and Materials on Oil and Mineral Rights* (mimeographed).

Mr. Walker.

**Civil Law Research** This course is intended to serve a threefold purpose: first, to improve the student's reading knowledge and understanding of legal French; second, to make him acquainted with the bibliography and authorities of

the French civil law, together with some training in the manner of using them; and, third, to foster an interest in comparative law through the individual experience in working out special problems.

*Open to students who have previously had at least one year of French.*

*Elementary.*

*Advanced.*

Mr. Maréchal.

## BUSINESS LAW

**Agency** The three common law relations of Principal and Agent, Master and Servant, and Employer and Independent Contractor are analyzed. The course embraces the contractual relations between the third party and principal and agent, the legal effect of undisclosed agency, the liability of principal and agent in tort, knowledge of the agent as notice to the principal, delegation, statements of agent as evidence against the principal, ratification, termination, and duties of principal and agent to each other. This course is designed to serve the dual purpose of affording the necessary common law background to the students, as well as to develop their powers of legal analysis. Attention is given to Articles 2985-3024 of the Revised Civil Code of Louisiana, dealing with Mandate.

*Materials to be announced.*

Mr. Papale.

**\*Business Associations** This course treats of the business devices known as the partnership and the corporation. Attention is given to the Uniform Partnership Act, the Limited Partnership Act, and Articles 2801-2890 of the Revised Civil Code of Louisiana, dealing with partnerships. An analysis is made of the legal status of corporations, their promotion, subscriptions to stock, powers and limitations of corporations, rights and liabilities of directors and stockholders, and rights of creditors. A detailed study is made of the Business Corporations Act of Louisiana, Articles 427-447 of the Revised Civil Code of Louisiana, together with a comparison of the common law doctrines and the provisions of the Uniform Business Corporations Act.

*James, Cases on Business Associations.*

Mr. Miller.

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\*Not offered in Evening Division, 1939-1940.

**Insolvent Debtors' Estates** This course comprises a study of the systems by which insolvent enterprises are administered for the benefit of creditors, including a study of liquidation under general assignment, equity receivership, and bankruptcy; and of reorganization and financial rehabilitation by means of equity receivership and bankruptcy.

*Selected cases and materials.*

Mr. Miller.

**Insurance** In this course consideration is given to personal and property insurance, together with the rights and powers of the insurer, the insured, the beneficiary, the assignees, and creditors.

*Goble, Cases on Insurance.*

Mr. Papale.

**Negotiable Instruments** This course involves a discussion of the formal requisites of the negotiability of bills, notes, and checks; methods of transfer; indorsements; bona fide purchase; equities and defenses; and liability of the parties.

*Materials to be announced.*

Mr. Walker.

**\*Sales** This course treats of the formation of the contract of sale of personalty at common law; transfer of property rights; acquisition of property rights by third persons in the subject-matter of the contract; documents of title; financing methods; performance of the contract; risk of loss; liability of the seller.

*Bogart and Britton, Cases on Sales.*

Mr. Bonomo.

## PUBLIC LAW

**Administrative Law** This course deals with the creation and functions of administrative tribunals; the procedure before such tribunals, and judicial relief from administrative action.

*Materials to be announced.*

Mr. Papale.

**Constitutional Law** In this course a thorough analysis is made of the nature and interpretation of constitutions; the respective spheres of state and federal authority; nationality and citizenship; due process of law and equal protection of the laws; power of eminent domain; retrospective laws; the regulation of commerce; and limitations upon the power to tax.

*Long, Cases on Constitutional Law.*

Mr. Bonomo.

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\*Not offered in 1939-1940.

**Criminal Law** This course considers the origin and history of public offenses, and the theory of state intervention; the specific crimes; defenses; capacity; and the theory of personal accountability.

*Harno, Cases and Materials on Criminal Law and Procedure, (2nd Ed.) and assigned readings.* Mr. Bonomo.

**Government Regulation Of Business** This course deals with the right of the state and federal authorities to regulate business; the concept of public utilities and "Public Callings"; the rights, duties, and liability of persons engaged in public callings; administrative action and control of such businesses; and the constitutional limitations on regulation of business.

*Robinson, Cases on Public Utilities (2nd edition), and individual studies.* Mr. Miller.

**\*Taxation** In this course is considered the nature and theory of taxation; the legitimate purposes of taxation; the various types of taxes; the administrative features of tax legislation and specific constitutional limitations imposed upon taxing power.

*Materials to be announced.*

Mr. Miller.

## PROCEDURE AND PRACTICE

**\*Civil Procedure** This course involves a survey of the judicial process as it has developed through common law agencies; the specific common law forms of action; venue and jurisdiction; and the progression of pleading to a justiciable issue.

*Keigwin, Cases on Common Law Pleading.* Mr. Bonomo.

**Criminal Procedure** This course involves a detailed study of the Louisiana Code of Criminal Procedure and the cases interpreting it, together with a comparison of the provisions of the Restatement of the Code of Criminal Procedure.

*Connor, Cases construing the Louisiana Code of Criminal Procedure (Mimeograph).* Dean Connor.

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\*Not offered in 1939-1940.

**\*Evidence** This course involves a discussion of the trial rules of evidence; the qualification and impeachment of witnesses; the opinion rule; admissions and confessions; rules relating to writings; the hearsay rule and its exceptions, and privileged relations; burden of proof and presumptions; judicial notice; and the so-called parole evidence rule.

*Wigmore, Select Cases on Evidence* (3rd edition).

Mr. Bonomo.

**\*\*Federal Jurisdiction and Procedure** This course covers the federal judicial system; the original and concurrent jurisdiction of federal courts; venue; the substantive law applied in the federal court; procedure; relation of state and federal courts; and appellate jurisdiction in the federal system. Special attention is given to the recently adopted rules on federal procedure, together with a study of the reports of various institutes which have been held for the purpose of discussing and analyzing the new rules, particularly the Cleveland Institute, which was conducted under the auspices of the American Bar Association.

*Dobie, Cases on Federal Jurisdiction and Procedure.*

Mr. Carriere.

**†Louisiana Code Of Practice** This course consists of an examination of the codal articles dealing with practice and procedure in Louisiana and the cases interpreting and construing those articles.

*Louisiana Code of Practice and assigned cases and readings.*

Judge Byrnes.

**Louisiana Pleading and Practice** This is a course on the Louisiana system of pleading which includes the jurisdiction of the various state courts and a study of the mechanics of litigation from its inception to final adjudication. The work prepares the student to meet and solve problems which confront the practicing lawyer and calls for the practical application of legal theory to concrete cases. The

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\*Not offered in 1939-1940.

\*\*Not offered in Day Division, 1939-1940.

†Not offered in Evening Division, 1939-1940.

students are assigned problems weekly which necessitate the drafting of particular pleadings and documents and which must be supported by the citation of pertinent authorities. Seminars are held weekly for the purpose of criticism and discussion.

*McMahon, Material on Louisiana Practice* (mimeographed);  
*Louisiana Code of Practice.*

Mr. Sarpy.

**Moot Court.** This is a practice course in civil and criminal trial tactics in jury and non-jury cases, supplemented by lectures dealing with trial technique. Several actual trials of hypothetical cases are arranged and conducted under typical courtroom conditions.

*Individual studies.*

Mr. Scharff.



## CURRICULUM 1939-1940

### DAY DIVISION

#### FIRST YEAR

(Prescribed)

Course.	Hours 1st Sem.	Hours 2nd Sem.
Agency .....		2
Civil Law, I.....	3	4
*Civil Law Research, Elementary.....		1
Constitutional Law .....		3
Contracts .....	2	2
Criminal Law .....	3	
Criminal Procedure .....	1	
Legal Bibliography .....	1	
Introduction to Law.....	1	
Torts .....	2	2
	13	14

### SECOND AND THIRD YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Administrative Law .....		2
Business Associations .....	2	2
Civil Law, Ic .....	2	2
Civil Law, IIa, IIb.....	2	2
Civil Law, III .....	2	2
Civil Law, IV .....	2	2
Civil Law Research (Advanced).....	1	
Conflict of Laws.....	2	2
Constitutional Law .....		3
Government Regulation of Business.....		2
Insolvent Debtors' Estates.....	2	
Insurance .....	2	
Louisiana Practice .....	3	3
Moot Court .....	1	1
Negotiable Instruments .....	2	
Philosophy of Law.....		2

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\*Required of all students who have had at least one year of college French.

## CURRICULUM 1939-1940

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### EVENING DIVISION

#### FIRST YEAR

(Prescribed)

Course.	Hours 1st Sem.	Hours 2nd Sem.
Civil Law, I.....	3	4
Contracts .....	2	1
Criminal Law .....		3
Criminal Procedure .....	1	
Introduction to Law.....	1	
Legal Bibliography .....	1	
Torts .....	2	2
	10	10

#### SECOND, THIRD AND FOURTH YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Agency .....		2
Administrative Law .....		2
Civil Law, Ic .....	2	2
Civil Law, IIa .....		2
Civil Law, IIb .....		2
Civil Law, III .....	2	2
Civil Law, IV .....		2
Conflict of Laws.....	1	2
Constitutional Law .....	3	
Federal Procedure .....	2	2
Government Regulation of Business.....		2
Insolvent Debtors' Estates.....	2	
Insurance .....	2	
Legal Ethics .....		1
Moot Court .....	1	1
Negotiable Instruments .....	2	
Philosophy of Law.....		2

## DEGREES CONFERRED ON JUNE 5, 1939

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Ainsworth, Harold Raymond.....	New Orleans, La.
Byrne, Charles Arion, Jr.....	New Orleans, La.
De Jean, Robert Francis.....	Opelousas, La.
Dutrey, Louis Joseph.....	New Orleans, La.
Early, John Michael.....	New Orleans, La.
Ferris, Neckley Michael.....	Shreveport, La. <i>A.B., Loyola University.</i>
Fortier, Alcee James Joseph.....	New Orleans, La.
Gabb, Henry Alexis.....	New Orleans, La.
Kattan, David Antonio.....	San Pedro Sula, Honduras
Lange, Charles John.....	New Orleans, La. <i>B.S., Loyola University.</i>
McCann, John Jacob.....	New Orleans, La. <i>A.B., Loyola University.</i>
Pascal, Robert Anthony.....	New Orleans, La. <i>A.B., Loyola University.</i>
Ryan, William John, Jr.....	New Orleans, La.
Stoulig, Edward John.....	Kenner, La.
Strayhan, Harvey Lee.....	Shreveport, La. <i>A.B., Loyola University.</i>

## ENROLLMENT

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### DAY DIVISION

1938-1939

#### FIRST YEAR

Baudouin, Waldo James.....	Louisiana
Bierhorst, Oliver Karl.....	Louisiana
Bologna, Joseph Vincent.....A. B., Loyola U.....	Louisiana
Braud, Sidney Francis.....A. B., Loyola U.....	Louisiana
Broderick, Oliver Daniel.....	Louisiana
Brown, James Everett.....A. B., Loyola U.....	Louisiana
Dabbs, David Benjamin.....A. B., Syracuse U.....	Connecticut
Danna, Gesuardo Aloysius.....	Louisiana
Daspit, Florance Driscoll.....A. B., Loyola U.....	Louisiana
Deutsch, Leo Fred.....A. B., St. Benedict's C.....	Louisiana
Egan, John M.....	Louisiana
Farrell, Alfred M., Jr.....	Louisiana
Gardiner, Francis Michael.....	Louisiana
Gomila, Maurice Louis.....	Louisiana
Gremillion, Charles Cassidy.....	Louisiana
Kirn, William Jacob.....	Louisiana
LeBlanc, Richard Edmund.....	Louisiana
Melton, Edward Burke.....	Louisiana
Nix, John Darling, III.....	Louisiana
Read, Henry James.....	Louisiana
Roussel, Edward Joseph.....	Louisiana
Waguespack, George Earl.....A. B., Loyola U.....	Louisiana
Waguespack, Herbert Wilhelm, Jr.....A. B., Loyola U.....	Louisiana
Weatherford, Kline .....	Alabama
Wegmann, Edward F.....	Louisiana

#### SECOND YEAR

Caillouet, Clyde Charles.....	Louisiana
Casey, Robert Taylor.....A. B., Loyola U.....	Louisiana
Dillon, Otis Joseph.....	Louisiana
Fonseca, Bernard John.....	Louisiana
Grevemberg, James Joseph, Jr.....	Louisiana
Liska, Alvin John.....	Louisiana
Manich, Anthony J., Jr.....	Louisiana
Porter, Joseph William, Jr.....	Louisiana
Stein, Oscar Charles, Jr.....	Louisiana
Wingerter, Lorain Francis.....	Louisiana
Zelden, Max .....	Ohio

## THIRD YEAR

Ainsworth, Harold Raymond.....	Louisiana
Byrne, Charles Arion, Jr.....	Louisiana
Dutrey, Louis Joseph.....	Louisiana
Early, John Michael.....	Louisiana
Ferris, Neckley M.....	A. B., Loyola U.....Louisiana
Gravolet, Ezekiel Winfield, Jr.....	Louisiana
Harrosh, Emile .....	New York
Kattan, David Antonio.....	Honduras
McCann, John Jacob.....	A. B., Loyola U.....Louisiana
Pascal, Robert Anthony.....	A. B., Loyola U.....Louisiana
Stoulig, Edward John.....	Louisiana

## UNCLASSIFIED

Chien, Chin Chang.....	A.B., LL.B., National Chinan U.....China
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## EVENING DIVISION

## FIRST YEAR

Andrée, Richard Jules.....	Louisiana
Araguel, Rosalie Charlotte.....	Louisiana
Becker, Elmore Paul.....	Louisiana
Blanchard, James Elmer.....	Louisiana
Brahney, Thomas Michael.....	Louisiana
Childress, Alvin R., Jr.....	Louisiana
Churchill, Newton Collins.....	Massachusetts
Clarke, Bert William.....	Louisiana
Clugston, Albert James.....	B. A., Rice Institute.....Louisiana
Connolly, James Joseph.....	Massachusetts
Deterly, John A., Jr.....	B. S., U. of Oklahoma
	M.S., L. S. U.....Mississippi
Eberle, Frank Gordon.....	B. S., Tulane U.....Louisiana
*Fust, George Henry.....	Louisiana
Graziano, Sal Joseph.....	Louisiana
Hyland, Parnel James.....	Louisiana
Martinez, Joseph Didier.....	B. S., L. S. U.....Louisiana
McGovern, Daniel Allen, III.....	Louisiana
Micholet, Frank Louis.....	Louisiana
Moore, Daniel Seguin.....	B. A., Tulane U.....Louisiana
Napoli, Joseph Blaise, Jr.....	Louisiana
Quinlan, Gerald Sylvester.....	Louisiana
*Sickinger, William A.....	Louisiana
Wood, John Joseph.....	Louisiana

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\*Special students

## SECOND YEAR

Bruce, John Markey.....	Louisiana
Cooney, Miriam Ilse.....	B. S., L. S. U.....Louisiana
Fishman, Ralph Henry.....	Louisiana
Guidry, Cyrus Clayton.....	Louisiana
Hayes, Arthur M.....	B. S., Loyola U.....Louisiana
Lafaye, Ogden William.....	Louisiana
Reuter, John Richard, Jr.....	B. B. A., Tulane U.....Louisiana
Wren, Marshall Van Allen.....	Louisiana

## THIRD YEAR

Curry, William James, Jr.....	A. B., Tulane U.....Louisiana
Graziano, Salvatore Anthony.....	B. S., Boston U.....Massachusetts
Haggerty, Edward Aloysius, Jr.....	Louisiana
Hagstette, Louis Kappel.....	Louisiana
McAulay, John James.....	A. B., Loyola U.....Oklahoma
McDonald, Willis Charles.....	Louisiana
Thomas, Charles Gerald.....	Louisiana
Villere, Edward Joseph.....	Louisiana
Voorhies, Arthur Lambert.....	Ph. B., Loyola U.....Louisiana
Wright, Richard Edward.....	A. B., Loyola U.....Louisiana

## FOURTH YEAR

Fortier, Alcée James Joseph.....	Louisiana
Gabb, Henry Alexis.....	Louisiana
Lange, Charles John.....	B. S., Loyola U.....Louisiana
Ryan, William John, Jr.....	Louisiana
Strayhan, Harvey Lee.....	A. B., Loyola U.....Louisiana

## UNCLASSIFIED

De Jean, Robert Francis.....	Louisiana
Finn, Philip S., Jr.....	B. S., Clemson Agri. C.....N. Carolina
Fitzsimmons, Huyet Walter.....	B. S., Spring Hill C.....Louisiana
Fox, Charles Beresford.....	B. S., Princeton U.....Louisiana



